

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

SAMANTHA JENKINS, EDWARD BROWN, )  
KEILEE FANT, BYEON WELLS, MELDON )  
MOFFIT, ALLISON NELSON, HERBERT )  
NELSON, JR., and TONYA DEBERRY, *et al.*, )  
  ) Case No.: 4:15-CV-00252-CEJ  
Plaintiffs,                          )  
  )  
v.                                     )  
  )  
THE CITY OF JENNINGS,             )  
  )  
Defendant.                         )

**JOINT MOTION OF DEFENDANT AND**  
**PLAINTIFFS TO STAY ALL PROCEEDINGS IN THIS CASE**

Defendant The City of Jennings (“Defendant”), by and through counsel, and Plaintiffs Samantha Jenkins, Edward Brown, Keilee Fant, Byeon Wells, Meldon Moffit, Allison Nelson, Herbert Nelson, Jr., and Tonya DeBerry (“Plaintiffs”), by and through counsel, hereby request the Court to enter an Order staying all proceedings in this case, including Defendant filing an answer or other responsive pleading to the Class Action Complaint, for ninety (90) days until June 29, 2015 the following reasons:

1. On February 8, 2015, the eight Plaintiffs filed a Class Action Complaint against the Defendant alleging various claims for constitutional violations allegedly arising out of the arrest and imprisonment of each Plaintiff, and others, for allegedly being unable to pay a debt owed to the Defendant for traffic tickets or other minor offenses and out of the conditions of each Plaintiff’s confinement in the City of Jennings’ jail. The Plaintiffs’ Class Action Complaint contains 283 paragraphs and is 61 pages long. Specifically, each Plaintiff alleged claims for

violations of the First, Fourth, Sixth, Eighth, Thirteenth, and Fourteenth Amendments to the Constitution as well as federal law.

2. The Defendant was served with a Summons and the Class Action Complaint on February 9, 2015 making an answer and other responsive pleading due on March 2, 2015. [Doc. 4].

3. On February 26, 2015, Defendant filed a request for an extension of time to file an answer and other responsive pleading to Plaintiffs' Class Action Complaint until April 1, 2015. [Doc. 6].

4. On February 27, 2015, the Court granted the Defendant's request for an extension of time to answer and/or file a responsive pleading to the Class Action Complaint and granted Defendant until April 1, 2015 to file an answer or otherwise respond to the Class Action Complaint. [Doc. 7].

5. Defendant's counsel has investigated the Plaintiffs' claims asserted in the Class Action Complaint and has researched the legal issues set forth in the Class Action Complaint pertaining to the Plaintiffs' alleged constitutional violations and claims. Upon completing the investigation and the legal analysis of the Plaintiffs' claims, Defendant's counsel has had extensive conversations with Plaintiffs' counsel about the allegations in the Class Action Complaint and the claimed violations of the Plaintiffs' constitutional rights based upon the allegations.

6. Counsel for the Defendant and counsel for the Plaintiffs have agreed that counsels' time and efforts in this case would be better spent in negotiations to attempt to resolve the claims of the Plaintiffs in the Class Action Complaint in a fair and reasonable manner rather than engaging in time consuming and expensive protracted litigation.

7. Counsel have also agreed that the Class Action Complaint contains numerous factual issues and legal issues that will need to be resolved in extensive and time-consuming negotiations to attempt to resolve the claims asserted by the Plaintiffs in the Class Action Complaint against the Defendant.

8. For these reasons, counsel for the Defendant and counsel for the Plaintiffs have jointly agreed to request the Court to stay the proceedings in this case so the parties can attempt to negotiate a reasonable resolution of Plaintiffs' claims to bring an end to this litigation.

9. Counsel for the Defendant and counsel for the Plaintiffs have mutually agreed to request the Court to grant the Defendant and the Plaintiffs a stay of all proceedings in this case, including Defendant filing an answer and/or other responsive pleading to the Class Action Complaint, for 90 days so that the parties can engage in negotiations in an attempt to resolve the claims of the Plaintiffs against the Defendant.

10. This request by the parties to stay these proceedings for 90 days is not made for the purpose of vexation or to delay this matter but is made to allow the parties to engage in negotiations in an attempt to resolve the issues in the Class Action Complaint without engaging in time-consuming litigation for which the Plaintiffs and the Defendant will incur substantial legal fees and expenses.

11. The undersigned counsel respectfully request the Court to schedule a hearing on this motion if the Court desires additional information from the parties concerning this request for a stay of the proceedings.

**WHEREFORE**, Defendant and the Plaintiffs respectfully request the Court to enter an Order granting this Joint Motion to Stay All Proceedings in This Case, including Defendant

filings an answer and/or other responsive pleading to the Class Action Complaint, for 90 days until June 29, 2015.

Respectfully submitted,

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*A Professional Corporation*

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